



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NGUYEN *et al.*

Appl. No. 09/227,881

Filed: January 11, 1999

For: **Nucleic Acids, Kits and Methods  
for the Diagnosis, Prognosis and  
Treatment of Glaucoma and  
Related Disorders**

Art Unit: 1635

Examiner: Schultz

Atty. Docket: 16491.066

**Terminal Disclaimer over U.S. Patent**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Regents of the University of California (hereinafter the "Owner"), the assignee and owner of the entire right, title, and interest in the instant application by virtue of the assignment recorded on September 3, 1999 on Reel 010208 at Frame 0677, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the last day of the full statutory term of any patent granted on commonly owned Patent Number 6,171,788, issued on January 9, 2001 (hereinafter the "Prior Patent"). The Owner hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that said patent and the Prior Patent are commonly owned and agrees that this Terminal Disclaimer shall run with any patent granted on the instant application and shall be binding on the grantee, its successors or assigns.

The owner does not disclaim any terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term of the Prior Patent, as shortened by any terminal disclaimer, in the event that the Prior Patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is

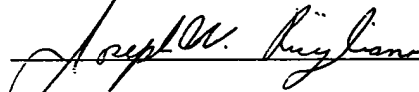
statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise prematurely terminated except as provided by a terminal disclaimer as recited above.

The fee set forth in 37 C.F.R. § 1.20(d) is believed to be \$130.00 for filing the instant terminal disclaimer. In the transmittal letter accompanying this Terminal Disclaimer, the Commissioner has been requested to charge Arnold & Porter LLP Deposit Account Number 50-2387 in the amount of \$130.00 referencing docket no. 16491.066.

The undersigned is empowered to act on behalf of The Regents of the University of California:

FOR: The Regents of the University of California

Signature:



Printed Name:

Joseph W. Ricigliano

Title:

(Registered Patent Agent 48,511)

Date:

May 27, 2005